

FILED

NORTHERN

DISTRICT OF

CALIFORNIA

UNITED STATES OF AMERICA

MAY 01 2008
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

WAIVER OF RULE 5 & 5.1 HEARINGS
 (Complaint/Indictment)

v.

Steven Neil Hernandez

Defendant

CASE

S-08-MJ-70262-PVTCHARGING DISTRICTS
CASE NUMBER:CR 08-00042 TMB

I understand that charges are pending in

District of Alamedaalleging violation of 21 USC 846 and 841(b)(1)(A) and that I have been arrested in this district and
(Title and Section)

taken before a judge, who has informed me of the charge(s) and my rights to:

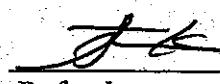
- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) a preliminary hearing (unless an indictment has been returned or information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
- (4) Request transfer of the proceedings to this district under Rule 20, Fed. R. Crim. P., in order to plead guilty.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

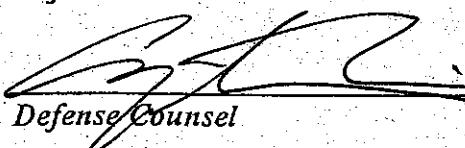
identity hearing

preliminary hearing

identity hearing but request a preliminary hearing be held in the prosecuting district and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.


Defendant5/1/08

Date


Defense Counsel